

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

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ASTRAZENECA LP and ASTRAZENECA  
AB,

Plaintiffs,

v.

BREATH LIMITED,

Defendant.

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Civil No. 08-1512-RMB-AMD

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ASTRAZENECA LP and ASTRAZENECA  
AB,

Plaintiffs,

v.

APOTEX, INC. and APOTEX CORP.,

Defendants.

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**SCHEDULING ORDER**

This Scheduling Order confirms the directives given to counsel during the status conference on February 3, 2010; and the Court noting the following appearances: Pablo D. Hendler, Esq., John E. Flaherty, Esq., Christopher J. Harnett, Esq., Michael Burling, Esq., and Christopher Carlton, Esq., appearing on behalf of the plaintiffs; Arnold B. Calmann, Esq., and Amy D. Brody, Esq., appearing on behalf of the defendant Breath Limited; and Eric I. Abraham, Esq. and David W. Aldrich, Esq. appearing on behalf of the defendants Apotex, Inc. and Apotex Corp.; and for good cause shown:

IT IS this **3rd** day of **February 2010**, hereby **ORDERED**:

1. Pretrial factual discovery is hereby extended to **March 15, 2010** as set forth on the record. All pretrial discovery shall be concluded by that date. All discovery motions and applications pursuant to L. Civ. R. 37.1(a)(1) shall be made returnable before the expiration of pretrial factual discovery.

2. All affirmative expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) shall be served not later than **April 12, 2010**. All rebuttal expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) shall be served not later than **May 10, 2010**. Any reply to rebuttal expert reports shall be served by **June 1, 2010**. Each such report should be accompanied by the curriculum vitae of the proposed expert witness. No expert opinion testimony shall be admitted at trial with respect to any witness for whom this procedure has not been timely followed. Depositions of proposed expert witnesses shall be concluded by **July 6, 2010**.

The parties shall also exchange, in accordance with the foregoing schedule, written statements identifying all opinion testimony counsel and the parties anticipate will be presented at trial pursuant to F. R. EVID. 701 and Teen-Ed v. Kimball International, Inc., 620 F.2d 399 (3d Cir. 1980).

3. **Dispositive Motions.** Dispositive motions shall be filed with the Clerk of the Court no later than **August 2, 2010**. Opposition to the motion should be served in a timely fashion. Counsel are to follow L. Civ. R. 7.1, 7.2, 56.1 and 78.1 (Motion Practice - Generally).

s/ Ann Marie Donio  
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ANN MARIE DONIO  
United States Magistrate Judge

cc: Hon. Renée Marie Bumb